

**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

(fn)

RCE

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Application No. 10/764,182

Filing Date January 23, 2004

First Named Inventor Daniel Sundman

Art Unit 2161

Examiner Name Nguyen, Cam L.

Attorney Docket No. 004410.P010

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114 – Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.)
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(l) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
 - i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action
 - iv. Other any fees not covered by the enclosed check.
- b. Check in the amount of \$ 810.00 enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Marina Portnova Registration No. (Attorney/Agent) 45,750

Signature M. Portn Date February 25, 2008

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on February 25, 2008

Date of Deposit

Michelle Begay

Name of Person Mailing Correspondence

Michelle Begay

Signature

February 25, 2008

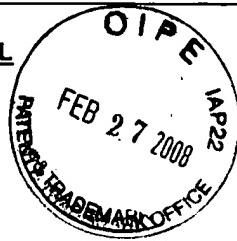
Date

Express Mail Label No. (if applicable): _____

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AMENDMENT TRANSMITTAL**PATENT**

Application No.: 10/764,182
Filing Date: January 23, 2004
First Named Inventor Daniel Sundman
Examiner's Name: Nguyen, Cam L.
Art Unit: 2161
Attorney Docket No.: 004410.P010



- An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
 Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
 Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
 Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

- Preliminary Amendment
 Amendment/Response with respect to Office Action
 Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
 Notice of Appeal
 RCE (Request for Continued Examination)
 Supplemental Declaration
 Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
 Information Disclosure Statement (IDS)
 Copies of IDS citations
 Petition for Extension of Time (1 month)
 Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
 Cross-Reference to Related Application(s)
 Certified Copy of Priority Document
 Other: _____
 Other: _____
 Check(s)
 Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Marina PortnovaSIGNATURE: M. PortnovaREG. NO.: 45,750DATE: February 25, 2008ADDRESS: 12400 Wilshire Boulevard, Seventh FloorLos Angeles, California 90025TELEPHONE NO.: (408) 720-8300**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on February 25, 2008

Date of Deposit

Michelle Begay

Name of Person Mailing Correspondence

February 25, 2008

Signature

Date

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(10/14/03)

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FEE TRANSMITTAL FOR FY 2008

(Effective on 9/30/2007. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) \$810.00

Complete if Known:

Application No. 10/764,182
 Filing Date January 23, 2004
 First Named Inventor Daniel Sundman
 Examiner Name Nguyen, Cam L.
 Art Unit 2161
 Attorney Docket No. 004410.P010

 Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify)

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: _____

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

Charge fee(s) indicated below except for the filing fee

Credit any overpayments.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.
 Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fees Paid (\$)</u>
Fee Code	Fee (\$)	Fee Code (\$)	
1011	310	2011 155	Utility application filing fee } 1,030/515
1111	510	2111 255	Utility search fee }
1311	210	2311 105	Utility examination fee }
1012	210	2012 105	Design application filing fee }
1112	100	2112 50	Design search fee }
1312	130	2312 65	Design examination fee }
1013	210	2013 105	Plant filing fee }
1113	310	2113 155	Plant search fee }
1313	160	2313 80	Plant examination fee }
1004	810	2004 405	Reissue filing fee }
1114	510	2114 255	Reissue search fee }
1314	620	2314 310	Reissue examination fee }
1005	210	2005 105	Provisional application filing fee }
SUBTOTAL (1) \$0.00			

2. EXCESS CLAIM FEES

Fee Description

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Extra Claims</u>	<u>Fee</u>	<u>Fees Paid (\$)</u>		
Fee Code	Fee (\$)	Fee Code	Fee (\$)						
1202	50	2202	25	Each claim over 20		X \$ 50.00	= 00.00		
1201	210	2201	105	Each independent claim over 3		X \$210.00	= 00.00		
1203	370	2203	185	Multiple dependent claims, if not paid					
1204	210	2204	105	Reissue: each claim over 20 and more than in the original patent					
1205	50	2205	25	Reissue: each independent claim more than in the original patent					
Total Claims		25		- 20 or 32 =					
HP = highest number of total claims paid for, if greater than 20									
Independent Claims		4		- 3 or 4 =					
HP = highest number of independent claims paid for, if greater than 3									
Multiple Dependent Claims									
SUBTOTAL (2) \$ 00.00									

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	$- 100 = \text{_____} / 50 = \text{_____}$ (round up to whole number)		X \$260.00	_____

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description:</u> Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1081	260	2081	130	Utility
1082	260	2082	130	Design
1083	260	2083	130	Plant
1084	260	2084	130	Reissue

SUBTOTAL (3) \$ 00.00

FEE CALCULATION (continued)**4. OTHER FEE(S)**

<u>Large Entity</u>	<u>Small Entity</u>		<u>Fees Paid (\$)</u>
<u>Fee</u>	<u>Fee</u>	<u>Fee Description</u>	
<u>Code</u>	<u>Code</u>		
1051	130	2051	65 Surcharge - late filing fee or oath
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130 Non-English specification
1812	2,520	1812	2,520 For filing a request for ex parte reexamination
1813	8,800	1813	8,800 Request for inter parties reexamination
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action
1251	120	2251	60 Extension for reply within first month
1252	460	2252	230 Extension for reply within second month
1253	1,050	2253	525 Extension for reply within third month
1254	1,640	2254	820 Extension for reply within fourth month
1255	2,230	2255	1,115 Extension for reply within fifth month
1401	510	2401	255 Notice of Appeal
1402	510	2402	255 Filing a brief in support of an appeal
1403	1,030	2403	515 Request for oral hearing
1451	1,510	1451	1,510 Petition to institute a public use proceeding
1452	510	2452	255 Petition to revive – unavoidable
1453	1,540	2453	770 Petition to revive - unintentional
1501	1,440	2501	720 Utility issue fee (or reissue)
1502	820	2502	410 Design issue fee
1503	1,130	2503	565 Plant issue fee
1462	400	1462	400 Petitions to the Commissioner (CFR 1.17(f) Group I)
1463	200	1463	200 Petitions to the Commissioner (CFR 1.17(g) Group II)
1464	130	1464	130 Petitions to the Commissioner (CFR 1.17(h) Group III)
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)
1806	180	1806	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties)
1809	810	2809	405 For filing a submission after final rejection (see 37 CFR 1.129(a))
1814	130	2814	65 Statutory Disclaimer
1810	810	2810	405 For each additional invention to be examined (see 37 CFR 1.129(b))
1801	810	2801	405 Request for Continued Examination (RCE)
1802	900	1802	900 Request for expedited examination of a design application
1504	300	1504	300 Publication fee for early, voluntary, or normal pub.
1505	300	1505	300 Publication fee for republication
1803	130	1803	130 Request for voluntary publication or republication
1808	130	1808	130 Processing fee under 37 CFR 1.17(i) (except provisionals)
1454	1,410	1454	1,410 Acceptance of unintentionally delayed claim for priority

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (4) \$ 810.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Marina PortnovaSignature: M. PortnovaDate: February 25, 2008Reg. Number: 45,750Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450